

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

RYAN LOWERY, : Case No. 3:10-cv-427
Plaintiff, : District Judge Walter H. Rice
vs. : Magistrate Judge Michael J. Newman
MICHAEL J. ASTRUE, :
COMMISSIONER OF :
SOCIAL SECURITY, :
Defendant. :

DECISION AND ENTRY

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #22), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendation filed on July 11, 2012 (Doc. #22) is **ADOPTED** in full;
2. The parties' Joint Motion for an Award of Attorney Fees Pursuant to the Equal Justice Act (Doc. #21) is **GRANTED** in part to the extent Plaintiff is entitled to an EAJA award in the total amount of \$4,000.00, which is the amount stipulated by the parties. Accordingly, Plaintiff is **AWARDED** \$4,000.00;
3. Plaintiff's original Motion for an Award of Attorney Fees Pursuant to the Equal Justice Act (Doc. #20) is **DENIED AS MOOT**; and,

4. The case remains terminated on the docket of this Court.

Date: 8/19/12

Walter Herbert Rice

Walter Herbert Rice
United States District Judge